

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

GIFTBOXCENTER, LLC,

Plaintiff,

v.

PETBOX, INC and PETBOX HOLDINGS,
LLC,

Defendants.

Civil Action No. 15-4390 (JMV) (JBC)

ORDER

John Michael Vazquez, U.S.D.J.

For the reasons stated in the accompanying Opinion, and for good cause shown,

IT IS on this 5th day of February, 2018,

ORDERED that Plaintiff's motion for default judgment (D.E. 41) is **GRANTED** in part and **DENIED** in part; and it is further

ORDERED that Plaintiff's past and ongoing conduct in connection with the name "PETGIFTBOX," and Plaintiff's logo do not constitute infringement of Defendants' trademark rights under 15 U.S.C. §1114(1) ("Relief for the Third Request"); and it is further

ORDERED that Plaintiff's past and ongoing conduct in connection with the name "PETGIFTBOX" and Plaintiff's logo do not constitute false advertising under 15 U.S.C. §1125(a) with respect to Defendants' trademark rights ("Relief for the Fourth Request"); and it is further

ORDERED that Defendants are not entitled to any injunctive relief or monetary damages regarding the Relief for the Third Request and the Relief for the Fourth Request; and it is further

ORDERED that all other requests for relief made by Plaintiff are **DENIED**; and it is further

ORDERED that Plaintiff shall serve a copy of this Order and the accompanying Opinion on Defendants at their last known addresses; and it is further

ORDERED that the Clerk's Office shall close this matter.


John Michael Vazquez, U.S.D.J.